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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Jerry PELLETIER et al

Appln. No.: 09/689,952

Examiner: **Kam, C.**

Docket No: **Q92482**

Confirmation No.: **7855**

Filed: **October 12, 2000**

Allowed: **April 21, 2005**

Group Art Unit: **1653**

For: **COMPOSITIONS AND METHODS INVOLVING AN ESSENTIAL
STAPHYLOCOCCUS AUREUS GENE AND ITS ENCODED PROTEIN**

RESPONSE TO NOTICE AND SUBMISSION OF CORRECTED DRAWINGS

MAIL STOP ISSUE FEE

ATTN: OFFICIAL DRAFTSPERSON

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the Notice Regarding Drawings dated April 19, 2006, for which a response is due on or before June 19, 2006, Applicants submit herewith 47 sheets of corrected drawings in compliance with 37 C.F.R. § 1.84. The Examiner is respectfully requested to acknowledge receipt of these drawings.

The submitted drawings are believed to obviate the informalities indicated on Form PTO-948 attached to the above-indicated Notice.

Respectfully submitted,

Drew Hissong

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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: June 15, 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

092-012

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NUMBER 09/689952	FILING/RECEIPT DATE 10/12/2000	FIRST NAMES APPLICANT PELLETIER, JERRY	ATTORNEY DOCKET NUMBER 21715/1010
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DOCKETED

Sughrue Ref: 092482

APR 20 2006

SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON DC 20037

Examiner

KAM, CHIH-MIN

Art Unit

Paper Number

1653

Date Mailed: 04/19/2006

Notice Regarding Drawings

Corrected drawings for the above-identified application, received in the USPTO on **02/04/2005** are still not acceptable for the reason(s) identified on the attached PTO-948. Applicant is given one opportunity to correct the informalities within a two-month time period from the mailing date of this Notice. **THIS TIME PERIOD IS NOT EXTENDABLE UNDER EITHER 37 CFR 1.136(a) OR 1.136(b). Failure to take corrective action within the set period will result in abandonment of the application.**

ATTACHMENT: PTO-948 Notice of Draftsperson's Patent Review (By *Son Lam*)

RETURN CORRECTED DRAWINGS TO:

Commissioner for Patents

Mail Stop: Issue Fees

P.O. Box 1450

Alexandria, Virginia 22313-1450

NOTICE OF DRAFTSPERSON'S PATENT DRAWING REVIEW

The drawing(s) filed (insert date) 02/04/05 are:

- A. ☐ approved by the Draftsperson under 37 CFR 1.84 or 1.152.
 B. ☒ objected to by the Draftsperson under 37 CFR 1.84 or 1.152 for the reasons indicated below. Corrected drawings are required.

1. DRAWINGS. 37 CFR 1.84(a): Acceptable categories of drawings: Black ink or Color (3 sets required).

☐ Color drawings are not acceptable until petition is granted. Fig(s) _____

☐ Pencil and non black ink not permitted. Fig(s) _____

2. PHOTOGRAPHS. 37 CFR 1.84(b)

☐ One (1) full-tone set is required. Fig(s) _____

☐ Photographs may not be mounted. 37 CFR 1.84(e)

☐ Photographs must meet paper size requirements of 37 CFR 1.84(f). Fig(s) _____

☐ Poor quality (half-tone). Fig(s) _____

3. TYPE OF PAPER. 37 CFR 1.84(e)

☐ Paper not flexible, strong, white, and durable.

Fig(s) _____

☒ Erasures, alterations, overwritings, interlineations, folds, copy machine marks not accepted.

Fig(s) 1-16

4. SIZE OF PAPER. 37 CFR 1.84(f): Acceptable sizes:

21.0 cm by 29.7 cm (DIN size A4) or

21.6 cm by 27.9 cm (8 1/2 x 11 inches)

☐ All drawing sheets not the same size.

Sheet(s) _____

☐ Drawings sheets not an acceptable size. Fig(s) _____

5. MARGINS. 37 CFR 1.84(g): Acceptable margins:

Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm

☒ Margins not acceptable. Fig(s) 1-14

☒ Top (T) ☒ Left (L)

☐ Right (R) ☐ Bottom (B)

6. VIEWS. 37 CFR 1.84(h)

REMINDER: Specification may require revision to correspond to drawing changes, e.g., if Fig. 1 is changed to Fig. 1A, Fig. 1B and Fig. 1C, etc., the specification, at the Brief Description of the Drawings, must likewise be changed.

☐ Views not labeled separately or properly.

Fig(s) _____

7. SECTIONAL VIEWS. 37 CFR 1.84(h)(3)

☐ Sectional designation should be noted with Arabic or Roman numbers. Fig(s) _____

8. ARRANGEMENT OF VIEWS. 37 CFR 1.84(i)

☐ Words do not appear on a horizontal, left-to-right fashion when page is either upright or turned so that the top becomes the right side, except for graphs. Fig(s) _____

9. SCALE. 37 CFR 1.84(k)

☐ Scale not large enough to show mechanism without crowding when drawing is reduced in size to two-thirds in reproduction.

Fig(s) _____

10. CHARACTER OF LINES, NUMBERS, & LETTERS. 37 CFR 1.84(l)

☒ Lines, numbers & letters not uniformly thick and well defined, clean, durable, and black (poor line quality). Fig(s) 7B, 12'S, 14A

11. SHADING. 37 CFR 1.84(m)

☐ Solid black areas pale. Fig(s) _____

☐ Solid black shading not permitted. Fig(s) _____

12. NUMBERS, LETTERS, & REFERENCE CHARACTERS. 37 CFR 1.84(p)

☒ Numbers and reference characters not plain and legible. Fig(s) 1, 3-5, 8'S-10, 12, 13

☐ Figure legends are poor. Fig(s) _____

☐ Numbers and reference characters not oriented in the same direction as the view. 37 CFR 1.84(p)(1) Fig(s) _____

☐ English alphabet not used. 37 CFR 1.84(p)(2) Fig(s) _____

☐ Numbers, letters and reference characters must be at least 32 cm (1/8 inch) in height. 37 CFR 1.84(p)(3). Fig(s) _____

13. LEAD LINES. 37 CFR 1.84(q)

☐ Lead lines missing. Fig(s) _____

14. NUMBERING OF SHEETS OF DRAWINGS. 37 CFR 1.84(t)

☐ Sheets not numbered consecutively, and in Arabic numbers beginning with number 1. Sheet(s) _____

15. NUMBERING OF VIEWS. 37 CFR 1.84(u)

☒ Views not numbered consecutively, and in Arabic numerals, beginning with number 1. Fig(s) 8'S

16. DESIGN DRAWINGS. 37 CFR 1.152

☐ Surface shading shown not appropriate.

Fig(s) _____

☐ Solid black surface shading is not permitted except when used to represent the color black as well as color contrast. Fig(s) _____

COMMENTS:

Reviewer SON LAM

If you have questions, call (703) 305-8404

305-0333 (EXT. 133)

Date 04/19/06

Attachment to Paper No. _____